



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/520,381

05/25/2006

Shmuel Orenbuch

3137.00011

5140

48924

7590

10/30/2008

KOHN & ASSOCIATES, PLLC
30500 NORTHWESTERN HWY, SUITE 410
FARMINGTON HILLS, MI 48334

EXAMINER

STABLEY, MICHAEL R

ART UNIT

PAPER NUMBER

3611

MAIL DATE

DELIVERY MODE

10/30/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/520,381	Applicant(s) ORENBUCH, SHMUEL	
	Examiner Michael R. Stabley	Art Unit 3611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/4/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 6-13, and 16-21 rejected under 35 U.S.C. 102(b) as being anticipated by Yagi (JP 62-203824).

In re claims 1-3, Yagi discloses an omni-directional mobility device as shown in Figures 1 and 6, said device comprising a spherical means (w) for enabling omni directional movement, wherein said spherical means is a globe (33), wherein said globe is formed of a material selected from the group consisting essentially of synthetic material, metal, stainless steel, rubber, plastic, glass, ceramics, and combinations thereof.

In re claims 6-10, Yagi discloses the mobility device according to claim 1, said device further including a drive mechanism (39) and steering mechanism (137), further including a motor for actuating said drive mechanism, wherein said motor includes reduction gears.

In re claims 11-13 and 16-19, Yagi discloses an omni-directional vehicle (31) as shown in Figure 6 comprising a body and at least one omni directional mobility device (W1-W4) as set forth in claim 1, wherein said spherical means is a globe (33), wherein said globe is formed of a material selected from the group consisting essentially, of

Art Unit: 3611

synthetic material, metal, stainless steel, rubber, plastic, glass, ceramics, and combinations thereof; said device further including a drive mechanism and a steering mechanism; further including a motor for operating said drive mechanism.

In re claim 20, Yagi discloses the omni-directional vehicle according to claim 11 selected from the group consisting essentially of motor operated vehicles, bicycles, wheelchairs, recreational vehicles, forklifts, electrical transportation units, automobiles, carts, wheelchairs, chairs, and trailers as shown in Figure 6.

In re claim 21, Yagi discloses a wheelchair (31) as shown in Figure 6 comprising a body and at least one omni directional mobility device as set forth in claim 1.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 5, 14, and 15 rejected under 35 U.S.C. 103(a) as being unpatentable over Yagi.

In re claims 4, 5, 14, and 15, Yagi discloses the device/vehicle of claims 2 and 12, respectively, but does not specifically disclose wherein the globe includes a coating formed of a resin. Since the globe is essentially a large bearing structure it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the globe of Yagi to include a resin coating similar to that of a bearing.

Art Unit: 3611

5. Claims 22 and 23 rejected under 35 U.S.C. 103(a) as being unpatentable over Yagi in view of Harris (U.S. 6,340,065).

In re claims 22 and 23, Yagi discloses the omni-directional device of claim 1 to increase vehicle stability, but does not specifically disclose its use on a forklift or automobile. Harris, however, does disclose the use of an omni-directional wheel on a forklift, which by definition is a type of automobile, to reduce vibration. It would have been obvious to one of ordinary skill in the art to modify the omni-directional forklift of Harris such that it comprises the omni-directional wheel of Yagi to further reduce vibrations in order to further increase stability.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 5 and 15 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8. Claims 5 and 15 recite the limitation "said coating" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael R. Stabley whose telephone number is (571)270-3249. The examiner can normally be reached on M-F 7:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley D. Morris can be reached on 571-272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael R Stabley/
Examiner, Art Unit 3611

/Paul N. Dickson/
Supervisory Patent Examiner, Art Unit 3600